

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 07-05073-01-CR-SW-RED
)	
ROBERT THOMAS,)	
)	
Defendant .)	

**REPORT AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

On October 7, 2008, a psychiatric/psychological evaluation was ordered by the Honorable Richard E. Dorr, United States District Judge, pursuant to 18 U.S.C. § 4241. The evaluation was conducted at the United States Medical Center for Federal Prisoners, Springfield, Missouri, and a psychological report was filed with the Court on December 15, 2008. The matter was called for a hearing. The defendant appeared in person and with counsel. There was no evidence presented, other than the report previously mentioned above. The mental health experts at the United States Medical Center for Federal Prisoners concluded:

“Throughout his evaluation, Mr. Thomas was able to discuss his current legal situation in a clear and coherent manner. In my opinion, he is able to understand the nature and potential consequences of the proceedings against him and assist properly in his defense. At the present time, he appears capable of disclosing appropriate information to his attorney, considering various courses of action, providing relevant testimony if necessary, and making decisions following consultations with his attorney. He does not manifest a mental illness which would impair these abilities.”

It is therefore

RECOMMENDED that the defendant be declared competent to stand trial.

/s/ James C. England
JAMES C. ENGLAND, CHIEF
UNITED STATES MAGISTRATE JUDGE

Date: January 28, 2009